I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

Date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Patent Application of:

Adam R. Schran et al.

Conf. No.:

7133

Group Art Unit:

2157

Appln. No.: 10/078,815

Examiner:

Avi M. Gold

Filing Date:

February 19, 2002

Attorney Docket No.: 10397-3U1

Title:

SYSTEM AND METHOD FOR DETERMINING NETWORK

CONFIGURATION SETTINGS THAT PROVIDE OPTIMAL NETWORK

**PERFORMANCE** 

## AMENDMENT TRANSMITTAL LETTER

Transmitted herewith is an Amendment in the above-identified application.

Substitute Specification. 

Small Entity status: [X]

has previously been claimed/established.

is hereby claimed under 37 C.F.R. §1.27, as [ ] an Independent Inventor, or [ ] a Small Business Concern, or [ ] a Non-Profit Organization.

The additional claim fees have been calculated as follows:

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT, FEE	RATE	ADDIT. FEE
TOTAL	52	(-)	54	0	x25		x50	
INDEP.	4	(-)	3	1	x100	100	x200	
[ ] 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$180		+\$360	
					TOTAL	\$100	TOTAL	

# The additional claim fees are being paid by:

- [X] A check in the amount of \$100.00.
- [X] Authorization to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210397.0007) as noted below. A duplicate copy of this sheet is enclosed.
  - [X] Any overpayments or deficiencies in the above-calculated fee.
  - Additional claim fee in the amount of \$\_\_\_\_.00 as calculated above.
  - [X] Any additional fees required under 37 C.F.R. § 1.16 and/or § 1.17.
  - [X] In the event that a Petition for Extension of Time is required, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account.

#### **CORRESPONDENCE ADDRESS**

January 9, 2006 By: (Date)

Clark A. Jablon

Registration No. 35,039

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200 Philadelphia, PA 19103-7013 Telephone: 215-965-1200

Direct Dial: 215-965-1293 Facsimile: 215-965-1210

E-Mail: cjablon@akingump.com

CAJ:gem Enclosures

7526478 v1

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of: Adam R. Schran et al.

Conf. No.:

7133

Group Art Unit:

2157

Appln. No.:

10/078,815

Examiner:

Avi M. Gold

Filing Date:

February 19, 2002

Attorney Docket No.: 10397-3U1

Title:

SYSTEM AND METHOD FOR DETERMINING NETWORK

CONFIGURATION SETTINGS THAT PROVIDE OPTIMAL NETWORK

PERFORMANCE

#### <u>AMENDMENT</u>

This Amendment is being filed in response to the Office Action dated October 7, 2005 and is being timely filed within the shortened statutory period set for a response. An Amendment Transmittal Letter accompanies this amendment for payment of the excess claim fee. If any additional fee is due, charge the fee to Deposit Account No. 50-1017 (Billing No. 210397.0002).

Amendments to the Claims begin on page 2 of this paper.

Remarks and Conclusion begin on page 11 of this paper.